



PATENT APPLICATION

Docket No: 15436.54.1

DECLARATION, POWER OF ATTORNEY, AND PETITION

We,

Name: William Freeman  
Address: 3662 La Costa Ave.  
Castro Valley, CA 94546  
Citizenship: USA

Name: Steve Wang  
Address: 1818 Libretto Ct.  
San Jose, CA 95131  
Citizenship: USA

Name: Frank H. Levinson  
Address: 4337 Renaissance Drive, #116  
San Jose, CA 95134  
Citizenship: USA

declare: that our citizenship and post office addresses are as set forth above; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled VARIABLE ELECTROCHROMIC OPTICAL ATTENUATOR for which a patent is sought and which is described and claimed in the specification which was filed in the United States Patent and Trademark Office on October 17, 2003, and assigned Serial No. 10/688,356; that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to herein; and that we acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents those listed under the following Customer Number with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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| <p><b>022913</b><br/>PATENT TRADEMARK OFFICE<br/>CUSTOMER NUMBER</p> |
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All correspondence and telephonic communications should be directed to:

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Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Dated this 16<sup>th</sup> day of October 2003.

Inventor: William Freeman  
William Freeman

Dated this 16 day of October 2003.

Inventor: Steve Wang  
Steve Wang

Dated this 6<sup>th</sup> day of March 2004.

Inventor:   
Frank H. Levinson